

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DEWAYNE J. BURNS,**  
**Plaintiff,**

**v.**

**G.W.H.C.F.,**  
**Defendant.**

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**CIVIL ACTION NO. 19-CV-0628**

**ORDER**

AND NOW, this 15th day of February, 2019, upon consideration of *pro se* Plaintiff Dewayne J. Burns's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1) and Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED without prejudice** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons set forth in the Court's Memorandum.
4. Burns is given leave to file an amended complaint within thirty (30) days of the date of this Order if he can state a plausible claim for relief against a proper defendant. Any individual or entity that is not listed in the caption of the amended complaint will not be treated as a defendant. Any amended complaint must be a complete document that describes in detail the basis for Burns's claims against each defendant. If Burns files an amended complaint, the Clerk shall not make service until so **ORDERED**.
5. The Clerk of Court is **DIRECTED** to send Burns a copy of this Court's form complaint to be used by a *pro se* individual filing a civil action. Burns may use this form to prepare his amended complaint.

6. If Burns fails to file an amended complaint, his case may be dismissed without prejudice for failure to prosecute without further notice.

**BY THE COURT:**

**/s/ Gerald Austin McHugh**

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**United States District Judge**